IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 3RD APRIL 2007 / 13TH CHAITHRA 1930

WP(C).No. 9428 of 2007(V)

AGAINST THE ORDER IN EP 226/2006 IN
OS.196/2001 of ADDL.SUB COURT, NORTH PARAVUR
.....

PETITIONER: JUDGMENT DEBTOR NO.1

R.RAMAKRISHNAN, AGED 58,
RETIRED SALES TAX OFFICER, SREEVALSAM,
THONIYIL LANE, THOTTAKKATTUKARA, ALUVA.

BY ADV. SRI.N.K.MOHANLAL

RESPONDENTS: DECREE HOLDER

PRABHAKARAN PILLA, PRANAVAM,
MUPPATHADAM, ALUVA.

BY ADV. SRI.P.R.RAMACHANDRA MENON

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 03/04/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENXIX:-

EXT.P1 - TRUE COPY OF EP. 226/06 IN OS. 196/01 OF SUB COURT, NORTH PARUR.

EXT.P2 – TRUE COPY OF PETITION TO SET ASIDE EX PARTE ORDER.

EXT.P3 TRUE COPY OF OBJECTION TO RULE 66 NOTICE.

EXT.P4 TRUE COPY OF SALE PROCLAMATION.

(TRUE COPY)

P.A. TO JUDGE

KURIAN JOSEPH & K.T. SANKARAN, JJ.

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W.P.(C) No. 9428 OF 2007

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Dated this the 3rd April, 2007

J U D G M E N T

Sankaran, J:

This Writ Petition is filed for issue of a writ of certiorari to quash Ext. P4 sale proclamation. Ext. P4 was issued in execution of the decree in O.S. 196 of 2001 on the file of the Addl. Sub Court, North Paravur .

2. It is stated in ground No.8 of the Writ Petition that the petitioner is prepared to settle and clear off the entire decree amount within a period of two months. Counsel for the respondent submits that the respondent has no objection in granting time to the petitioner to clear off the entire decree debt. Even three months' time can be granted, he submits.

3. In view of the submission made by the counsel for the respondent, petitioner is granted three months' time to clear off the entire decree amount. Execution proceedings shall be kept in abeyance for a

period of three months. If the decree amount is not paid, execution proceedings shall go on and Writ Petition will stand dismissed.

Writ Petition is disposed of as above.

KURIAN JOSEPH,
JUDGE.

K.T. SANKARAN,
JUDGE.

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